

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re Patent Application of  
ESTERO Criere et al.

Application No.: 10/030,262

Filing Date: April 17, 2002

Title: PHARMACEUTICAL COMPOSITION CONTAINING FENOFLIBRATE AND THE PREPARATION METHOD

Group Art Unit: 1615

Examiner: LAKSHMI SARADA CHANNAVAJJA

Confirmation No.: 8894

## NOTICE OF APPEAL

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

All finally rejected claims in the decision of the Primary Examiner dated December 22, 2004 are hereby appealed to the Board of Patent Appeals and Interferences.

- The appeal fee was previously paid on \_\_\_\_\_ . Therefore, no Appeal fee is now required.
- Enclosed is the Appeal fee of:  \$250.00 (2401)  \$500.00 (1401)
- Charge \_\_\_\_\_ to Deposit Account No. 02-4800 for the fee due.
- A check in the amount of \$ 500.00 is enclosed for the fee due.
- Charge \_\_\_\_\_ to credit card. Form PTO-2038 is attached.
- A Petition for Extension of Time is enclosed.
- Small entity status is hereby claimed.

The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

P.O. Box 1404  
Alexandria, Virginia 22313-1404  
(703) 836-6620

Date: March 18, 2005

By

Brian P. O'Shaughnessy  
Registration No. 32,747

03/21/2005 JADDO1 00000014 10030262

01 FC:1401

500.00 OP